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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Andrew D. Barofsky & Kenton W. Gregory

Serial No.: 08/797,770

Art Unit: 3738

Confirmation No. 1692

Examiner: Paul Prebilic

Filed: February 7, 1997

For: METHOD FOR USING TROPOELASTIN
AND FOR PRODUCING TROPOELASTIN
BIOMATERIALS

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TRANSMITTAL LETTER FOR AMENDED APPELLANT'S BRIEF

Appeal is taken from the Examiner's Office Action mailed September 11, 2002, rejecting claims 1-13, 15-24, 36-39, 41-55, 74, and 76-104 in this application.

This Amended Appeal Brief is in furtherance of the Notice of Appeal mailed in this case on November 5, 2002 and Examiners communication mailed March 14, 2003.

Enclosed is a Terminal Disclaimer to Obviate a Double Patenting Rejection Under 37 CFR 1.321(b). PTO Form 2038 for \$55.00 fee for Terminal Disclaimer is enclosed. (Small Entity)

Applicant believes that no further extension of time is required, however if applicant has inadvertently overlooked the need for a petition and fee for extension of time, the Commissioner is authorized to charge any fees due to deposit account number 13-1703.

This Brief is transmitted in triplicate.

Respectfully submitted,



20575

PATENT TRADEMARK OFFICE

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